

4. If you answered yes to the state law claims in question one above or the constitutional claim in question two above, then has the plaintiff proven, by a preponderance of the evidence, that as a direct and proximate result of the defendant's wrongful conduct, he sustained one, or both, of the following types of injury:

Physical Injury	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Mental or Emotional Injury	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

5. If you answered yes to the state law claims in question one above or the constitutional claim in question two above, then has the plaintiff proven that his injury was more than de minimis (meaning has he proven more than a trivial or trifling injury)?

Yes **No**

6. If you answered yes to the state law claims in question one above or the constitutional claim in question two above, then has plaintiff proven extraordinary circumstances that is, that the force used was of a sort repugnant to the conscience of mankind or the pain itself was such that it can properly be said to constitute to more than a de minimis injury?

Yes **No**

7. If you answered yes as to any portion of questions one and two, then what amount has plaintiff proven, by a preponderance of evidence, to be his actual or compensatory damages for all claims:

One Hundred Twenty Five Thousand Dollars (\$125,000.00) dollars.

8. Answer this question only if you found for the plaintiff on both state law and constitutional claims:

Would the amount of damages, you awarded have been different if you had found for the plaintiff only as on the state law claim[s]?

Yes **No**

If you answered No then you need not go any further with this question.

If you answered Yes, then what amount of damages was the plaintiff entitled to on his state law claims without consideration of the constitutional claims:

_____ (\$ _____) dollars.

9. If you answered yes to any portion of question one (state law claims), has the plaintiff proven by clear and convincing evidence, that the conduct of the defendant's employees was willful, wanton, or reckless so as to support an award of punitive damages against the defendant on the *state law* claims?

Yes No

10. If you answered yes as to question two (federal constitutional claims) has plaintiff proven, by a preponderance of the evidence, that the acts of the defendant were done maliciously, with evil motive or intent, or with a reckless or callous indifference to the rights *of the* plaintiff so as to support an award of punitive damages *on the federal law* claim.

Yes No

Foreperson

December 14, 2000
Columbia, South Carolina